

ORDINANCE NO. G-08-05-08-3B3

AN ORDINANCE AMENDING CHAPTER 11, SECTION 11.114, OF THE CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, ADDING EXPIRATION OF SITE DEVELOPMENT PERMIT APPLICATIONS, PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 11, Section 11.114, of the Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.114 FILING OF APPLICATIONS

(2) Expiration of Application

- (a) An application shall expire forty-five (45) days after the date the application is filed if:
 - (i) the applicant fails to provide the documents or other information necessary to comply with the City's technical requirements relating to the form and content of the application;
 - (ii) the City provides the applicant no later than ten (10) business days after the date the application is filed written notice of the failure that specifies the necessary documents or other information and the date the application will expire if the documents or other information is not provided; and
 - (iii) the applicant fails to provide the specified documents or other information within the aforesaid forty-five (45) day period.
- (b) Except as otherwise provided for in this Code, an application shall expire one hundred and eighty (180) days after the date the application was filed, provided however, the Zoning Administrator may grant a one (1) time, one hundred and eighty (180) day extension for good cause demonstrated by the applicant. A delay solely caused by a governmental agency shall be considered good cause. For an extension to be granted the applicant shall provide a written request ten (10) working days prior to expiration stating the reason for the extension.

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.


By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 8th day of May, 2008.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2008.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2008.



NYLE MAXWELL, Mayor
City of Round Rock, Texas

ATTEST: 

SARA L. WHITE, City Secretary

DATE: May 2, 2008

SUBJECT: City Council Meeting – May 8, 2008

ITEM: 9B3. Consider an ordinance amending Chapter 11 of the Round Rock Code of Ordinances (1995 Edition) to add an expiration for permit applications. (First Reading)

Department: Planning and Community Development

Staff Person: Jim Stendebach, Planning and Community Development Director

Justification:

The intent of the amendment is to establish a maximum time period applications may remain in the review process. The goal is to maximize efficiency by focusing staff efforts towards applications that are actively seeking approval. This goal will be achieved by reclaiming the staff time spent on non-responsive applications.

The specifics of this amendment are as follows:

- Applications will expire 180 days following the initial application date unless an extension is requested and granted by the Zoning Administrator.

Funding:

Cost: N/A

Source of funds: N/A

Outside Resources: N/A

Background Information:

Significant input was received in the development of this amendment. The proposed language was reviewed on two occasions by a group of engineers and architects that were suggested by the Chamber of Commerce and/or have done work on this type of project in the City of Round Rock. As a result, this staff-initiated amendment was modified to address their comments.

Public Comment:

Public notice was posted and a public hearing was held in accordance with the City of Round Rock's Zoning Ordinance at the Planning and Zoning Commission meeting on April 9, 2008. No comments were received at the hearing.